

\*\*AO 450 (Rev. 5/85) Judgment in a Civil Case

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***UNITED STATES DISTRICT COURT***  
***SOUTHERN DISTRICT OF OHIO***

AMENDED JUDGMENT IN CIVIL CASE

**JOHN F. KENDLE,**

**Plaintiff,**

**v.**

**WHIG ENTERPRISES, LLC, et al.,**

**Defendant.**

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**Case No. 2:15cv1295**

**Chief Judge Algenon L. Marbley**

**Magistrate Judge Kimberly A. Jolson**

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED that pursuant to the October 5, 2022 Amended Order correcting the spelling of the named Defendant, WHIG Enterprises, LLC. The remainder of the September 29, 2022 Opinion and Order (ECF No. 223) stands; the Court **ADOPTED** the Report and Recommendation and **DISMISSED** this case without prejudice for failure to prosecute under Rule 41.

**Date: October 5, 2022**

**Richard W. Nagel, Clerk**

s/Diane Stash  
Diane Stash/Deputy Clerk